



**CONFIDENTIAL**

**EXPRESS MAIL NO. EM 074 005 760US**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

Application of: THOMPSON *et al.*

**SEP 26 2000**

Serial No.: 08/639,255 : Group Art Unit: 1805 TECH CENTER 1800/2100  
Filed: April 24, 1996 : Examiner: Brusca, J.  
For: METHODS FOR GENERATING AND :  
SCREENING NOVEL METABOLIC :  
PATHWAYS :  
Attorney Docket No.: 8757-005 : PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711

**FEES TRANSMITTAL SHEET**

Assistant Commissioner for Patents  
Washington, D.C. 20231

SIR:

The fee required to be filed in connection with the Petition Under 37 C.F.R. § 1.48(a) to correct inventorship, in the above-identified application, pursuant to 37 C.F.R. § 1.17(h), has been estimated to be \$130.00. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

by *Laura A. Coruzzi* REG. NO.  
31,956

Date: August 7, 1997

Laura A. Coruzzi 30,742  
Laura A. Coruzzi (Reg. No.)

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Application of:**  
THOMPSON et al.

**Serial No.:** 08/639,255

**Group Art Unit:** 1805

**Filed:** April 24, 1996

**Examiner:** Brusca, J.

**For:** METHODS FOR GENERATING  
AND SCREENING NOVEL  
METABOLIC PATHWAYS

**Atty Docket No.:** 8757-005

**PETITION TO CORRECT INVENTORSHIP**  
**PURSUANT TO 37 C.F.R § 1.48(a)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.48(a), inventors Katie A. Thompson, Lyndon M. Foster and Todd C. Peterson, through their undersigned attorneys, hereby request correction of the above-identified patent application Serial No. 08/639,255, to include Nicole Nasby and Paul Brian as co-inventors.

Correction is necessary because Nicole Nasby and Paul Brian were omitted as co-inventors through inadvertence and without deceptive intent. The details as to how this error occurred and when it was discovered are set forth in the accompanying Statement of Facts verified by the originally named inventors.

In accordance with 37 C.F.R. § 1.48(a), the following documents are submitted concurrently herewith:

1. A Verified Statements Of Facts In Support of Correction of Inventorship Pursuant To 37 C.F.R. § 1.48(a) executed by Katie A. Thompson, Lyndon M. Foster and Todd C. Peterson, respectively;

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2. An executed Supplemental Declaration and Power of Attorney, signed by each of the actual inventors of this application, i.e., Katie A. Thompson, Lyndon M. Foster, Todd C. Peterson, Nicole Nasby and Paul Brian, as required by 37 C.F.R. § 1.63;

3. An executed Consent Of Assignee To Correction Of Inventors in the present application; and

4. A Petition Fee of \$130.00 to accompany the present change of inventorship as set forth in 37 C.F.R. § 1.17(h).

Being submitted concurrently herewith for recordation, is an Assignment of the rights in the above-identified patent application from the co-inventors, Nicole Nasby and Paul Brian, of the instant invention to ChromaXome Corporation. The other co-inventors already assigned their rights to such Company.

According to currently recommended Patent and Trademark Office policy, the Application Processing Division or any other Patent and Trademark Office employee involved in deciding the relief requested is authorized to call the undersigned attorney in the event that the handling and granting of this petition can be expedited.

Respectfully submitted,

Date: August 7 1997

*by Almuy* Laura A. Coruzzi NEG. NO.  
31,956  
Laura A. Coruzzi 30,742  
(Reg. No.)

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

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Application of:  
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Examiner: Brusca, J.

For: METHODS FOR GENERATING  
AND SCREENING NOVEL  
METABOLIC PATHWAYS

Atty Docket No.: 8757-005

**VERIFIED STATEMENT OF FACTS IN SUPPORT OF**  
**CORRECTION OF INVENTORSHIP PURSUANT TO 37 C.F.R § 1.48(a)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. We, Katie A. Thompson, Lyndon M. Foster and Todd C. Peterson, the originally named inventors respectfully request that the inventorship of the above-identified application be corrected to add Nicole Nasby and Paul Brian as co-inventors. Nicole Nasby and Paul Brain were omitted as co-inventors through inadvertence and without deceptive intent. The details as to how this error occurred are set forth below.

2. The present invention, as described and claimed in the above-identified application, resulted from collaboration between us and Nicole Nasby and Paul Brian. The present invention relates to a novel approach of drug discovery that involves the generation of novel metabolic pathways in libraries of genetically engineered cells. The present invention provides methods for making combinatorial gene expression libraries and methods for screening the libraries for the production of novel compounds. The methods of the

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invention also encompass production of compounds of interest by selected host organisms.

3. Katie A. Thompson, Lyndon M. Foster and Todd C. Peterson each conceived and reduced to practice the core methodologies for (a) randomly combining genetic material from one or more organisms in a host organism to form combinatorial gene expression libraries; and (b) identifying productive recombinant organisms from such libraries by use of a variety of reporter regimens. The contributions of Nicole Nasby and Paul Brian relate to methodologies that enhance the productivity of the libraries and improve the efficiency of the screening methods.

4. In particular, Nicole Nasby contributed to the conception and reduction to practice of methods that use a semi-solid matrix to encapsulate host organisms containing a combinatorial gene expression library, thereby rendering the host organisms more amenable to manipulations in the laboratory and high throughput screening technologies.

5. Paul Brian contributed to the conception and reduction to practice of the strategy wherein a cosmid library containing DNA from multiple species of donor organisms are pre-screened using hybridization probes containing genes that encode metabolic pathways of interest. DNA prepared from positive clones so identified in the cosmid libraries are pooled and used in making the claimed biased combinatorial gene expression library.

6. At the time of preparing the above-identified application, Attorneys for Applicants were only aware of the contribution of Katie A. Thompson, Lyndon M. Foster, and Todd

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C. Peterson to the conception and reduction to practice of the recited gene expression libraries and methods claimed. The inventive contributions of Nicole Nasby and Paul Brian were inadvertently not appreciated, leading, without deceptive intent, to the designation of only Katie A. Thompson, Lyndon M. Foster, and Todd C. Peterson as the joint inventors of the above-identified application.

7. At the time of execution of the Declaration and Power of Attorney on May 28, 1996, the original named inventors, unaware of the legal criteria for inventorship, did not notify Attorneys for Applicants of the precise nature of the contributions of Nicole Nasby and Paul Brian. Thus, the Declaration and Power of Attorney was executed and filed without deceptive intent.

8. The possibility of an error in the named inventors first arose during a series of communications between the Attorneys for Applicants and Katie A. Thompson in the summer of 1996, when Katie A. Thompson informed the attorneys that Nicole Nasby, a member of her laboratory, who worked diligently on the project may have made a contribution that qualified Nicole Nasby as a co-inventor. Attorneys for Applicants diligently began an inventorship analysis to determine what, if any, inventive contribution Nicole Nasby may have made in connection with the subject matter claimed in the instant application. In the course of this investigation, during the fall of 1996, Todd C. Peterson further indicated that Paul Brian, a member of his laboratory, might also qualify as a co-inventor. Communications between the

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investigators and the attorneys continued through the end of 1996 in order to complete an analysis of inventorship.

9. The results of the inventorship analysis indicated that Nicole Nasby and Paul Brian each contributed to the conception and reduction to practice of claimed subject matters recited in the pending claims; e.g. Claim 18 and Claim 21. Therefore, Nicole Nasby and Paul Brian should be named as co-inventors of the above-identified application with the originally named inventors, Katie A. Thompson, Lyndon M. Foster and Todd C. Peterson, and our petition to amend inventorship is being diligently pursued.

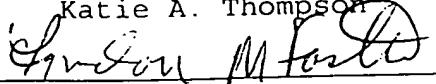
10. Katie A. Thompson, Lyndon M. Foster and Todd C. Peterson certify the foregoing statements made herein in support of the request to add Nicole Nasby and Paul Brian as co-inventors of the above-identified application, and hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

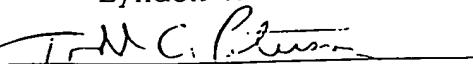
Dated: \_\_\_\_\_

Dated: May 13, 1997

Dated: May 13, 1997

Katie A. Thompson

  
Lyndon M. Foster

  
Todd C. Peterson

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Express Mail No.: EM 074 005 760 US

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SEP 25 2000

Application of:  
THOMPSON et al.

Serial No.: 08/639,255

Group Art Unit: 1805

TECH CENTER 1600/2900

Filed: April 24, 1996

Examiner: Brusca, J.

For: METHODS FOR GENERATING  
AND SCREENING NOVEL  
METABOLIC PATHWAYS

Atty Docket No.: 8757-005

**VERIFIED STATEMENT OF FACTS IN SUPPORT OF  
CORRECTION OF INVENTORSHIP PURSUANT TO 37 C.F.R § 1.48(a)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

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1. We, Katie A. Thompson, Lyndon M. Foster and Todd C. Peterson, the originally named inventors respectfully request that the inventorship of the above-identified application be corrected to add Nicole Nasby and Paul Brian as co-inventors. Nicole Nasby and Paul Brian were omitted as co-inventors through inadvertence and without deceptive intent. The details as to how this error occurred are set forth below.

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C. Peterson to the conception and reduction to practice of the recited gene expression libraries and methods claimed. The inventive contributions of Nicole Nasby and Paul Brian were inadvertently not appreciated, leading, without deceptive intent, to the designation of only Katie A. Thompson, Lyndon M. Foster, and Todd C. Peterson as the joint inventors of the above-identified application.

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9. The results of the inventorship analysis indicated that Nicole Nasby and Paul Brian each contributed to the conception and reduction to practice of claimed subject matters recited in the pending claims; e.g. Claim 18 and Claim 21. Therefore, Nicole Nasby and Paul Brian should be named as co-inventors of the above-identified application with the originally named inventors, Katie A. Thompson, Lyndon M. Foster and Todd C. Peterson, and our petition to amend inventorship is being diligently pursued.

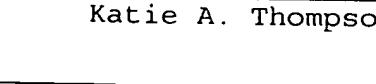
10. Katie A. Thompson, Lyndon M. Foster and Todd C. Peterson certify the foregoing statements made herein in support of the request to add Nicole Nasby and Paul Brian as co-inventors of the above-identified application, and hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Dated: JUNE 23 1997

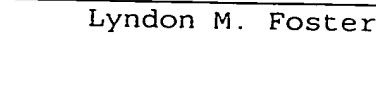


Katie A. Thompson

Dated: \_\_\_\_\_

  
Lyndon M. Foster

Dated: \_\_\_\_\_

  
Todd C. Peterson

**CONFIDENTIAL**

PENNIE &amp; EDMONDS LLP DOCKET NO. 8757-005

**SUPPLEMENTAL DECLARATION  
AND POWER OF ATTORNEY**

I, as a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHODS FOR GENERATING AND SCREENING NOVEL METABOLIC PATHWAYS**

and for which a patent application:

is attached hereto and includes amendment(s) filed on \_\_\_\_\_ *(if applicable)*  
 was filed in the United States on April 24, 1996 as Application Serial No. 08/639,255 *(for declaration not accompanying application)*  
with amendment(s) filed on \_\_\_\_\_ *(if applicable)*  
 was filed as PCT international application Serial No. \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19  
on \_\_\_\_\_ *(if applicable)*

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED
08/427,348	April 24, 1995			X
08/427,244	April 24, 1995			X

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaianni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balsancia (Reg. No. 31231), Albert P. Halluin (Reg. No. 25227), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundein (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmund R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Ann L. Gisolfi (Reg. No. 31956), SaraLynn Mandel (Reg. No. 31853), Mark A. Farley (Reg. No. 33170), James G. Markey (Reg. No. 31636), and Charles F. Hoyng (Reg. No. 35548), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 2730 Sand Hill Road, Menlo Park, CA 94025, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.



SEND CORRESPONDENCE TO: PENNIE & EDMONDS LLP 1155 AVENUE OF THE AMERICAS NEW YORK, N.Y. 10036-2711				DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS LLP DOCKETING (212) 790-2803	
2 0 1	FULL NAME OF INVENTOR	LAST NAME Thompson	FIRST NAME Katie	MIDDLE NAME A.	
	RESIDENCE & CITIZENSHIP	CITY Del Mar	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 12991 Caminito Bodega	CITY Del Mar	STATE OR COUNTRY California	ZIP CODE 92014-3818
2 0 2	FULL NAME OF INVENTOR	LAST NAME Foster	FIRST NAME Lyndon	MIDDLE NAME M.	
	RESIDENCE & CITIZENSHIP	CITY Carlsbad	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 968 Beach Crest Court	CITY Carlsbad	STATE OR COUNTRY California	ZIP CODE 92009
2 0 3	FULL NAME OF INVENTOR	LAST NAME Peterson	FIRST NAME Todd	MIDDLE NAME C.	
	RESIDENCE & CITIZENSHIP	CITY Chula Vista	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 652 Diamond Drive	CITY Chula Vista	STATE OR COUNTRY California	ZIP CODE 91911
2 0 4	FULL NAME OF INVENTOR	LAST NAME Nasby	FIRST NAME Nicole	MIDDLE NAME Marie	
	RESIDENCE & CITIZENSHIP	CITY San Diego	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 4656 Niagara Avenue	CITY San Diego	STATE OR COUNTRY California	ZIP CODE 92107
2 0 5	FULL NAME OF INVENTOR	LAST NAME Brian	FIRST NAME Paul	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY San Diego	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP United Kingdom	
	POST OFFICE ADDRESS	STREET 4179 3rd Avenue, No. 504	CITY San Diego	STATE OR COUNTRY California	ZIP CODE 92103

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201  Katie A. Thompson	SIGNATURE OF INVENTOR 202  Lyndon M. Foster	SIGNATURE OF INVENTOR 203  Todd C. Peterson
DATE  5/13/97	DATE  5/13/97	DATE  5/13/97
SIGNATURE OF INVENTOR 204  Nicole M. Nasby	SIGNATURE OF INVENTOR 205  Paul Brian	SIGNATURE OF INVENTOR 206
DATE  5/13/97	DATE  5/13/97	DATE

**CONFIDENTIAL**

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**SUPPLEMENTAL DECLARATION  
AND POWER OF ATTORNEY**

a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHODS FOR GENERATING AND SCREENING NOVEL METABOLIC PATHWAYS**

and for which a patent application:

is attached hereto and includes amendment(s) filed on \_\_\_\_\_ *(if applicable)*  
 was filed in the United States on April 24, 1996 as Application Serial No. 08/639,255 *(for declaration and accompanying application)*  
with amendment(s) filed on \_\_\_\_\_ *(if applicable)*  
 was filed as PCT international application Serial No. \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19  
on \_\_\_\_\_ *(if applicable)*

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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	POST OFFICE ADDRESS	STREET 12991 Caminito Bodega	CITY Del Mar	STATE OR COUNTRY California	ZIP CODE 92014-3818
2 0 2	FULL NAME OF INVENTOR	LAST NAME Foster	FIRST NAME Lyndon	MIDDLE NAME M.	
	RESIDENCE & CITIZENSHIP	CITY Carlsbad	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 968 Beach Crest Court	CITY Carlsbad	STATE OR COUNTRY California	ZIP CODE 92009
2 0 3	FULL NAME OF INVENTOR	LAST NAME Peterson	FIRST NAME Todd	MIDDLE NAME C.	
	RESIDENCE & CITIZENSHIP	CITY Chula Vista	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 652 Diamond Drive	CITY Chula Vista	STATE OR COUNTRY California	ZIP CODE 91911
2 0 4	FULL NAME OF INVENTOR	LAST NAME Nasby	FIRST NAME Nicole	MIDDLE NAME Marie	
	RESIDENCE & CITIZENSHIP	CITY San Diego	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 4656 Niagara Avenue	CITY San Diego	STATE OR COUNTRY California	ZIP CODE 92107
2 0 5	FULL NAME OF INVENTOR	LAST NAME Brian	FIRST NAME Paul	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY San Diego	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP United Kingdom	
	POST OFFICE ADDRESS	STREET 4179 3rd Avenue, No. 504	CITY San Diego	STATE OR COUNTRY California	ZIP CODE 92103

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201  Katie A. Thompson	SIGNATURE OF INVENTOR 202 Lyndon M. Foster	SIGNATURE OF INVENTOR 203 Todd C. Peterson
DATE JUNE 23 1997	DATE	DATE
SIGNATURE OF INVENTOR 204 Nicole M. Nasby	SIGNATURE OF INVENTOR 205 Paul Brian	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE



**CONFIDENTIAL**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: **THOMPSON ET AL.**

Serial No.: **08/639,255**

Group Art Unit: **1805**

Filed: **April 24, 1996**

Examiner: **Brusca, J.**

For: **METHODS FOR GENERATING AND  
SCREENING NOVEL METABOLIC PATHWAYS**

Attorney Docket No.: **8757-005**

**CONSENT BY ASSIGNEE TO CORRECTION OF  
INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

ChromaXome Corporation, having an office for transaction of business at 3550 General Atomics Court, San Diego, California 92121, as assignee of the entire right, title and interest in to and under the invention and U.S. patent application Serial No. 08/639,255, filed April 24, 1996, entitled "METHODS FOR GENERATING AND SCREENING NOVEL METABOLIC PATHWAYS", hereby consents to amendment of Application Serial No. 08/639,255 to name the following actual inventors: Katie A. Thompson, Lyndon M. Foster, Todd C. Peterson, Nicole Nasby and Paul Brian.

An Assignment of the application to ChromaXome Corporation executed by Katie A. Thompson, Lyndon M. Foster, and Todd C. Peterson has been recorded on June 4, 1996 in the United States Patent and Trademark Office on Reel 8108 at Frame 0778. An executed Assignment of the rights in the application from Nicole Nasby and Paul

**CONFIDENTIAL**

Brian to ChromaXome Corporation (copy attached) has been submitted for recordation under separate cover.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and hereby certifies that, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

CHROMAXOME CORPORATION

Dated:

26 June 1987.

Bernard D. King  
Bernard D. King  
President